

transferred to another agency, the funds appropriated in subsection 1 of this section are appropriated to the successor agency criminal and juvenile justice planning agency to be expended only for the purposes specified in subsection 1 of this section.

3. If legislation creating a criminal justice improvement fund is enacted and becomes law, the appropriations in subsection 1 of this section for each year of the fiscal biennium beginning July 1, 1981 and ending June 30, 1983 are void.

Approved May 21, 1982

CHAPTER 1182
PRIVATE FISH HATCHERIES
S.F. 452

AN ACT relating to private fish hatcheries.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 109.64, Code 1981, is amended to read as follows:

109.64 LICENSE—REGULATIONS. It shall be is unlawful for any person to operate a private fish hatchery or engage in the business of propagating fish native to the state of Iowa in private waters until ~~such~~ the person has applied for and has been issued a private fish hatchery license as provided by state law. ~~Such~~ The license shall be renewed each year.

The term "private fish hatchery" ~~covering private fish hatcheries shall include~~ includes all private ponds, with or without buildings, used for the purpose of propagating or holding fish for commercial purposes.

No license shall be issued to operate private fish hatcheries on privately owned or non-meandered lakes and streams or ponds that may become stocked with fish from public waters by overflow or natural migration.

Holders of private fish hatchery licenses may, in ~~said~~ the hatchery, possess, propagate, buy, sell, deal in and transport the fish produced from breeding stock lawfully acquired, but all fish sold for food purposes must comply with the state law regarding size limits.

They may sell fish for stocking purposes within or without the state, but no fish shall be sold for stocking purposes within the state that are not native to the state ~~and to the waters where stocked~~ unless application is first made in writing to the commission by the buyer for a permit therefor and a permit is granted.

Each operator of a private fish hatchery shall make an annual report of the number, kinds and sizes of the fish propagated and to whom sold during the license year on forms supplied by the commission. Failure to make ~~such~~ the report shall be is grounds for refusal to renew the license under which the hatchery operates.

Operators of private fish hatcheries shall secure their breeding stock from licensed private fish hatcheries in the state or from lawful sources outside the state and it shall be is unlawful for ~~such~~ hatcheries to secure stock in any other way.

Private fish hatchery operators who hold and feed carp, buffalo and other fish lawfully taken by commercial fishermen, may hold, feed and sell such the fish under private fish hatchery licenses.

Approved May 10, 1982

CHAPTER 1183

TAXABLE STATUS OF PROPERTY ACQUIRED FOR A PUBLIC ROAD

S.F. 549

AN ACT relating to the taxable status of property acquired in connection with the establishment, improvement, and maintenance of a public road and the collection of property taxes on the property.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 427.2, Code 1981, is amended by adding the following new unnumbered paragraphs:

NEW UNNUMBERED PARAGRAPH. When land or rights in land are acquired in connection with the establishment or maintenance or improvement of a public road, the acquiring authority shall assist in the collection of property taxes and special assessments. However, assistance in the collection of the property taxes and special assessments does not require the payment of property taxes and special assessments on the property acquired which exceed the amount of just compensation offered as required by section 472.45 for the acquisition of the property.

NEW UNNUMBERED PARAGRAPH. The property owner shall pay all property taxes and special assessments which are due and payable when the property owner surrenders possession of the property acquired and also those which become due and payable for the fiscal year the property is acquired in an amount equal to one-twelfth of the taxes and assessments due and payable on the property acquired for the preceding fiscal year multiplied by the number of months in the fiscal year in which the property was acquired which elapsed prior to the month in which the property owner surrenders possession, and including that month if the surrender of possession occurs after the fifteenth day of a month. For purposes of computing the payments, the property owner has surrendered possession of property acquired by eminent domain proceedings when the acquiring authority has the right to obtain possession of the acquired property by authority of section 472.26. When part but not all of the property is acquired for public road purposes, taxing authorities may collect property taxes and special assessments which the property owner is obligated to pay, in accordance with chapter 446, from that part of the property which is not acquired. The county treasurer shall collect and accept the payment received on property acquired for road purposes as full and final payment of all property tax and special assessments on the property and apportion the payment on the basis of the levy in effect in the fiscal year in which the property is acquired.